



ORDINANCE NUMBER 2810

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW MULTIPLE FAMILY RESIDENTIAL ON APPROXIMATE 7.66 ACRES OF LAND LOCATED AT 13600 SIGMA ROAD, GENERALLY AT THE NORTHEAST CORNER OF SIGMA ROAD AND ALPHA ROAD AND WITHIN THE PLANNED DEVELOPMENT NUMBER 64 (PD-64) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made; and

WHEREAS, the Planning and Zoning Commission and City Council do hereby find that this Amendment to the Zoning Ordinance is required in order to protect the health, safety, and welfare of the City and its citizens; that failure to approve this Ordinance could adversely impact the Planned Development of the City in an orderly manner considering the impact on the City's streets, utilities, environment, fire and police protection, and that all requirements for construction of public improvements are reasonable, necessary, result directly from the proposed development, and are on site and contiguous to the subject property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use permit to allow multiple family residential on approximate 7.66 acres of land located at 13600 Sigma Road, generally at the northeast corner of Sigma Road and Alpha Road and within the Planned Development Number 64 (PD-64) zoning district (hereinafter the "Property"), as described in Exhibit "A" and depicted in Exhibit "B," subject to the terms and conditions contained herein.

SECTION 3. That the Property shall conform in operation, location and construction to the development standards specified within the Planned Development Number 64 (PD-64) zoning district and in accordance with the approved site plan attached as Exhibit "C." All exhibits attached hereto are incorporated herein by reference.

SECTION 4. That the site plan attached hereto as Exhibit "C" is approved with the following condition:

1. The off-site trees proposed along the east side of the fire lane and access roadway and at the east end of the retention/detention pond shall be installed, prior to issuance of a certificate of occupancy for the multiple family development.

SECTION 5. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

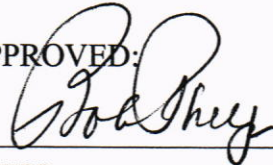
SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

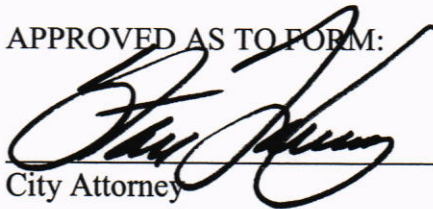
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 7th day of March 2005.

APPROVED:

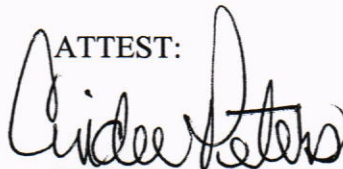


Mayor

APPROVED AS TO FORM:


City Attorney

ATTEST:



City Secretary

Exhibit "A"

Legal Description

BEGINNING at an "X" cut found in concrete at the common southerly corner of Lot 2 and Lot 3, Block A of said ExxonMobil Addition Plat, said point being on the northerly right-of-way line of Alpha Road (80 foot right-of-way);

THENCE departing the northerly right-of-way line of Alpha Road and along the common line of said Lot 2 and Lot 3, the following;

North 00 degrees 12 minutes 30 seconds East, a distance of 412.46 feet to an "X" cut found in concrete at the beginning of a curve to the right having a radius of 230.00 feet, a central angle of 45 degrees 02 minutes 16 seconds and being subtended by a chord which bears North 22 degrees 43 minutes 38 seconds East a distance of 176.17 feet;

Along said curve to the right, passing at an arc length of 57.02 feet the common easterly corner of Lot 1 and Lot 2, Block A, of said ExxonMobil Addition Plat and continuing in all an arc distance of 180.79 feet to an "X" cut found in concrete at the end of said curve;

THENCE along the common line of said Lot 1 and Lot 3, the following;

North 45 degrees 14 minutes 46 seconds East, a distance of 219.44 feet to an "X" cut found in concrete at the beginning of a curve to the left having a radius of 230.00 feet, a central angle of 10 degrees 33 minutes 44 seconds and being subtended by a chord which bears North 39 degrees 57 minutes 54 seconds East a distance of 176.17 feet;

Along said curve to the left an arc distance of 42.40 feet to a point for corner at the end of said curve;

THENCE North 89 degrees 56 minutes 12 seconds East, leaving the common line of said Lot 1 and Lot 3, a distance of 239.70 feet to a point for corner;

THENCE South 00 degrees 03 minutes 48 seconds West, a distance of 669.71 feet to a point for corner on the northerly right-of-way line of aforementioned Alpha Road;

THENCE along the northerly right-of-way line of Alpha Road the following;

Westerly along a curve to the left, having a radius of 449.30 feet, a central angle of 02 degrees 57 minutes 30 seconds and being subtended by a chord which bears South 53 degrees 16 minutes 00 seconds West a distance of 23.19 feet;

Along said curve to the left an arc distance of 23.20 feet to a 1/2 inch iron rod found at the beginning of a reverse curve to the right having a radius of 369.30 feet, a central

City of Farmers Branch P.O. Box 819010 Farmers Branch, Texas 75381-9010 972/247-3131
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Internet URL...<http://www.ci.farmers-branch.tx.us>

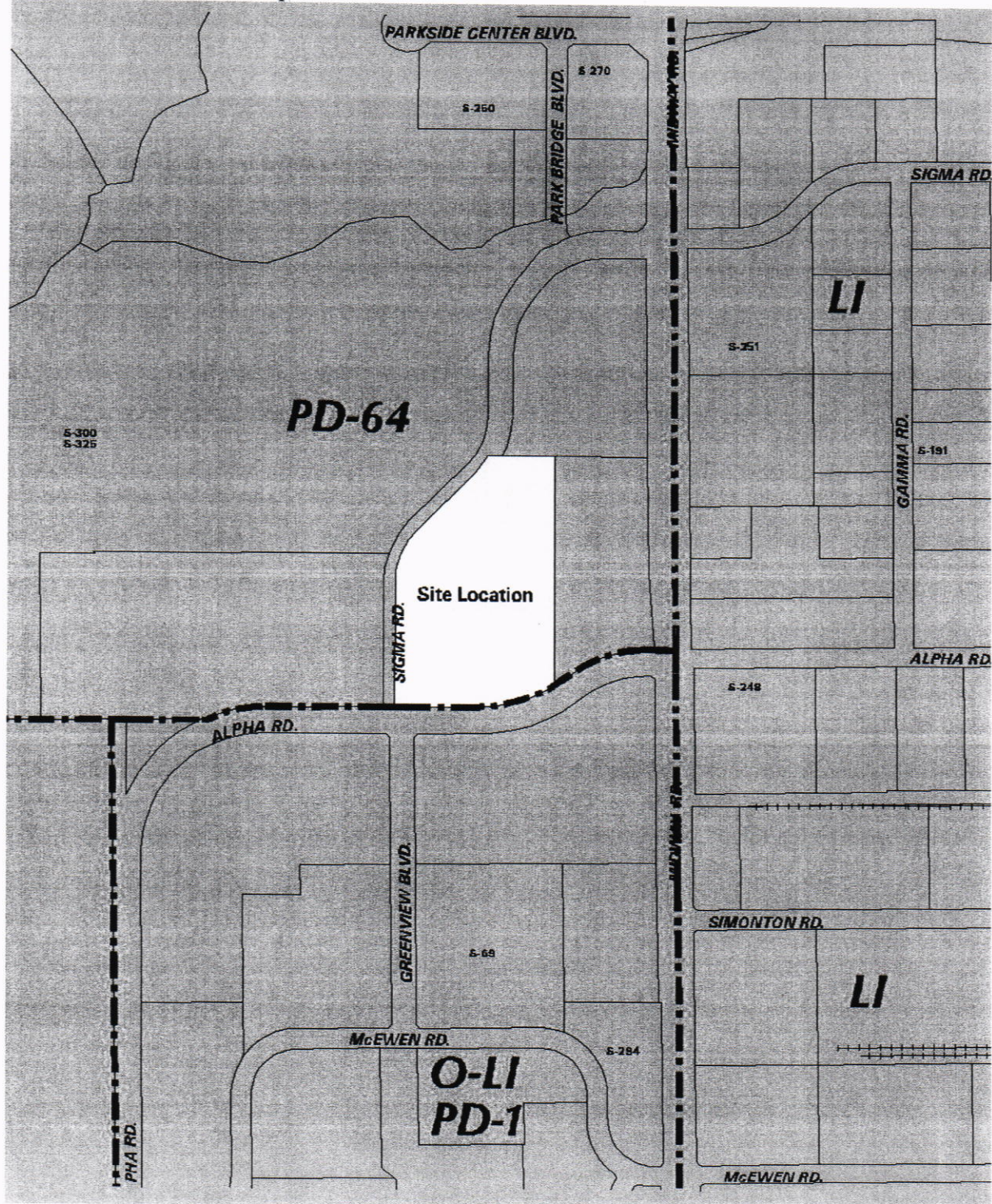
Exhibit "A" (continued)

angle of 38 degrees 20 minutes 25 seconds and being subtended by a chord which bears South 70 degrees 57 minutes 27 seconds West a distance of 242.54 feet;

Along said curve to the right an arc distance of 247.12 feet to a 5/8 inch iron rod found with "Huitt-Zollars" cap at the end of said curve;

North 89 degrees 52 minutes 20 seconds West a distance of 245.18 feet to the **POINT OF BEGINNING** and containing 7.66 acres of land, more or less.

Exhibit "B" – Location Map



City of Farmers Branch P.O. Box 819010 Farmers Branch, Texas 75381-9010 972/247-3131
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Internet URL...<http://www.ci.farmers-branch.tx.us>

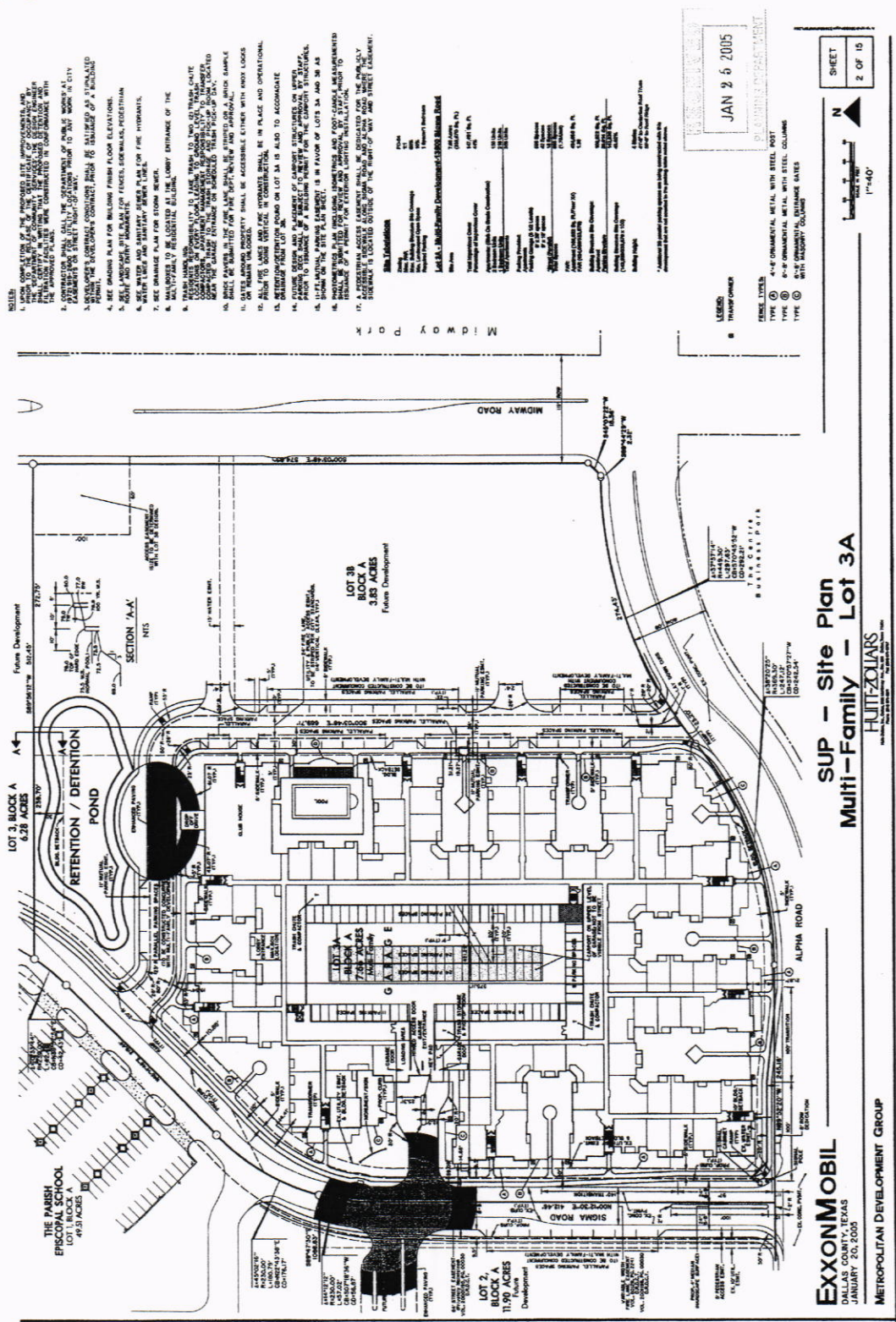
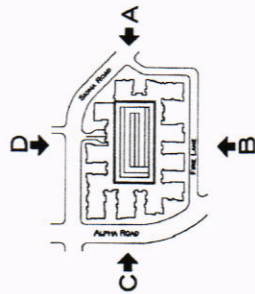
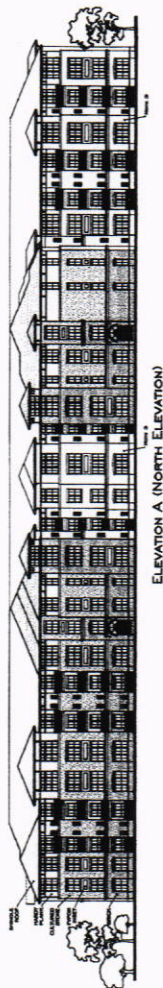


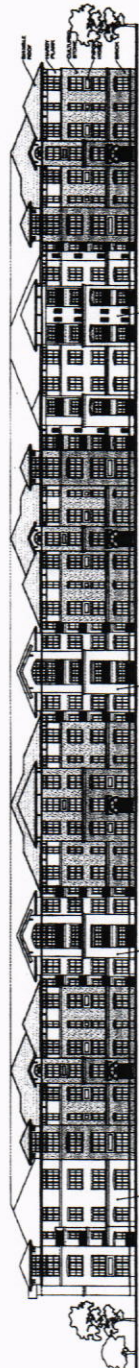
Exhibit "C" (continued)



- NOTE 1:
OPEN GARAGE STRUCTURE
CONCEALED FROM VIEW BEHIND
BUILDING ELEVATION
- NOTE 2:
EACH EXTERIOR WALL SHALL BE
MINIMUM 75% MASONRY
(EXCLUDING DOORS AND WINDOWS)
- NOTE 3:
BACK OF COURTYARD MASONRY
NOT SHOWN. FOR TYPICAL
COURTYARD ELEVATION SEE
"COURTYARD ELEVATION 1, 2 & 3"
(SHEET 5 OF 15)



ELEVATION A (NORTH ELEVATION)



ELEVATION B (EAST ELEVATION)

JAN 26 2005

SHEET
3 OF 15

SUP - ELEVATIONS
MULTI-FAMILY

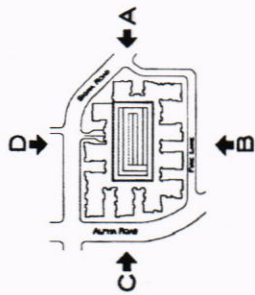
EXXONMOBIL
DALLAS COUNTY, TX
MOA 023A.00
METROPOLITAN DEVELOPMENT GROUP

THE LESSARD ARCHITECTURAL GROUP INC.
6541 LAMAR BLVD, SUITE 200, DALLAS, TX 75218 214.766.0044

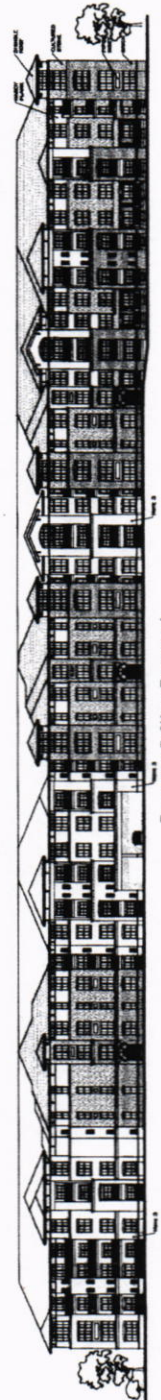
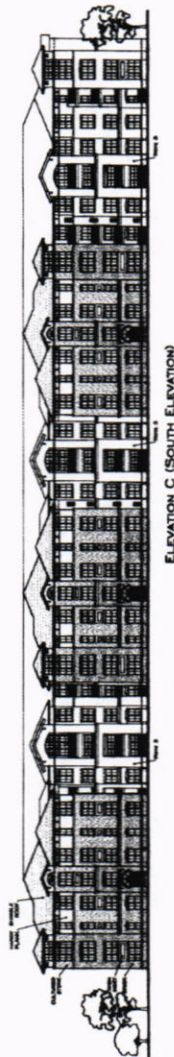
DESIGNED BY: JAMES R. GORDON
REVISED: JANUARY 20, 2005

DATE: DECEMBER 7, 2004

Exhibit "C" (continued)



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BACK OF COURTYARD MASONRY
NOT SHOWN. PERMITTEE
COURTYARD ELEVATION SEE
(SHEET 5 OF 15)



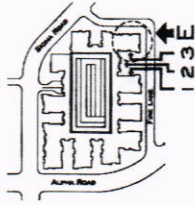
JAN 26 2005

EXXONMOBIL DALLAS COUNTY, TEXAS PROJECT NO. 7, 0004 METROPOLITAN DEVELOPMENT GROUP	SUP - ELEVATIONS MULTI - FAMILY	0' 1' 2' 3' 4' 5'	0' 1' 2' 3' 4' 5'
		1" = 20' 1" = 20'	1" = 20' 1" = 20'

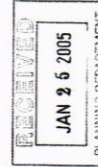
SHEET
 4 OF 15

THE LEBBARD ARCHITECTURAL GROUP INC.
 4841 LAMAR AVENUE, SUITE 200, HOUSTON, TEXAS 77054-2000
 281.461.1111

Exhibit "C" (continued)

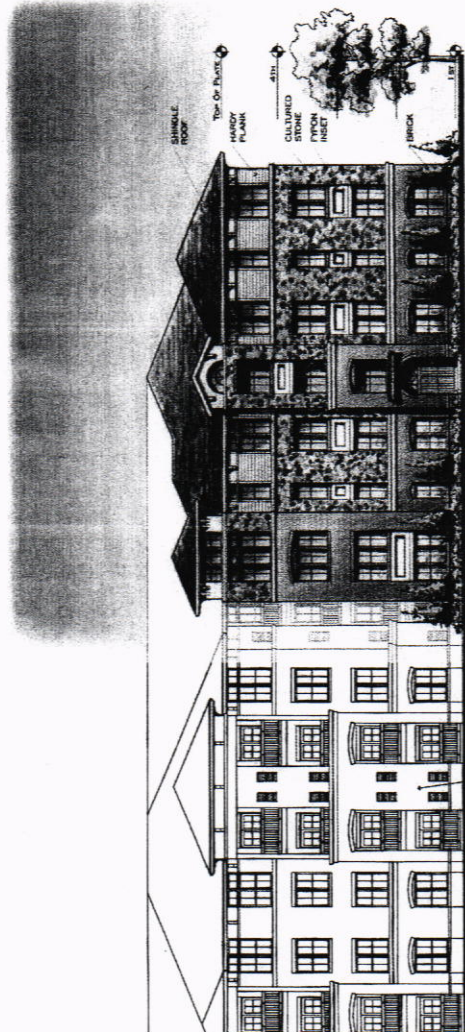


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(SHEET 5 OF 15)



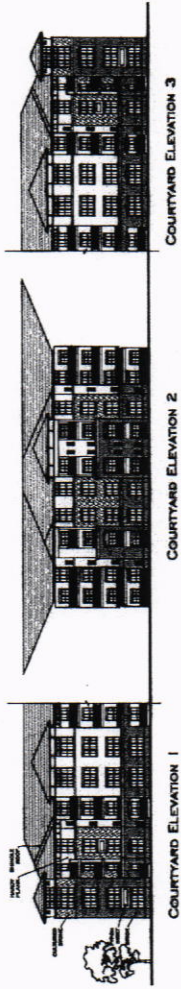
SHEET
8 OF 15

0' 1' 2' 3' 4' 5'



ELEVATION E (EAST ELEVATION, NORTH END OF BUILDING)
SCALE: 1/8" = 1'-0"

NOTE 3



SUP - ELEVATIONS
MULTI - FAMILY

EXXONMOBIL
15000 TEXAS
HOUSTON, TEXAS 77058
METROPOLITAN DEVELOPMENT GROUP

THE LESSARD ARCHITECTURAL GROUP INC.
8881 LAMARCA DRIVE, SUITE 200, HOUSTON, TEXAS 77058
713/779-9444 FAX 713/779-9444

Exhibit "C" (continued)

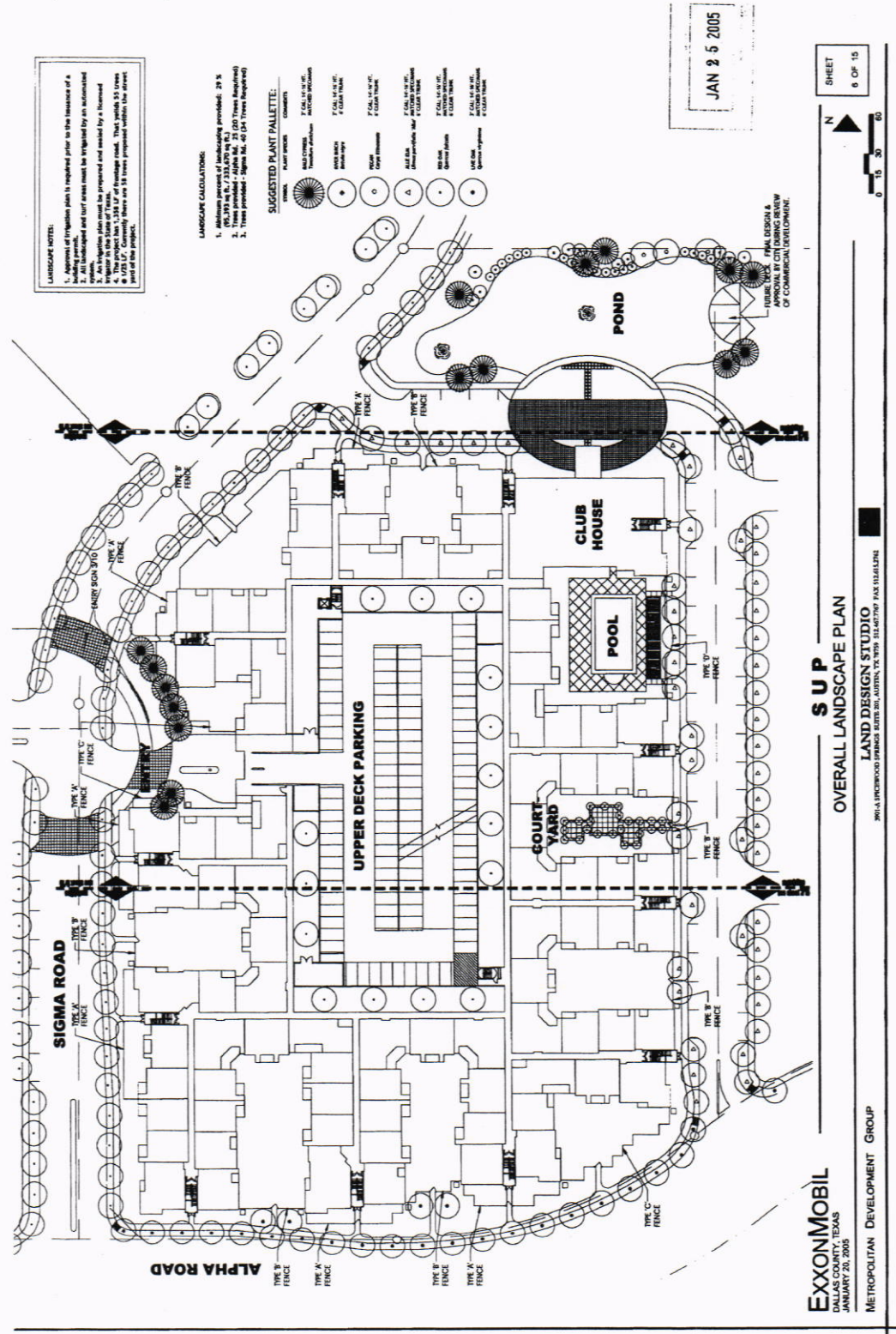
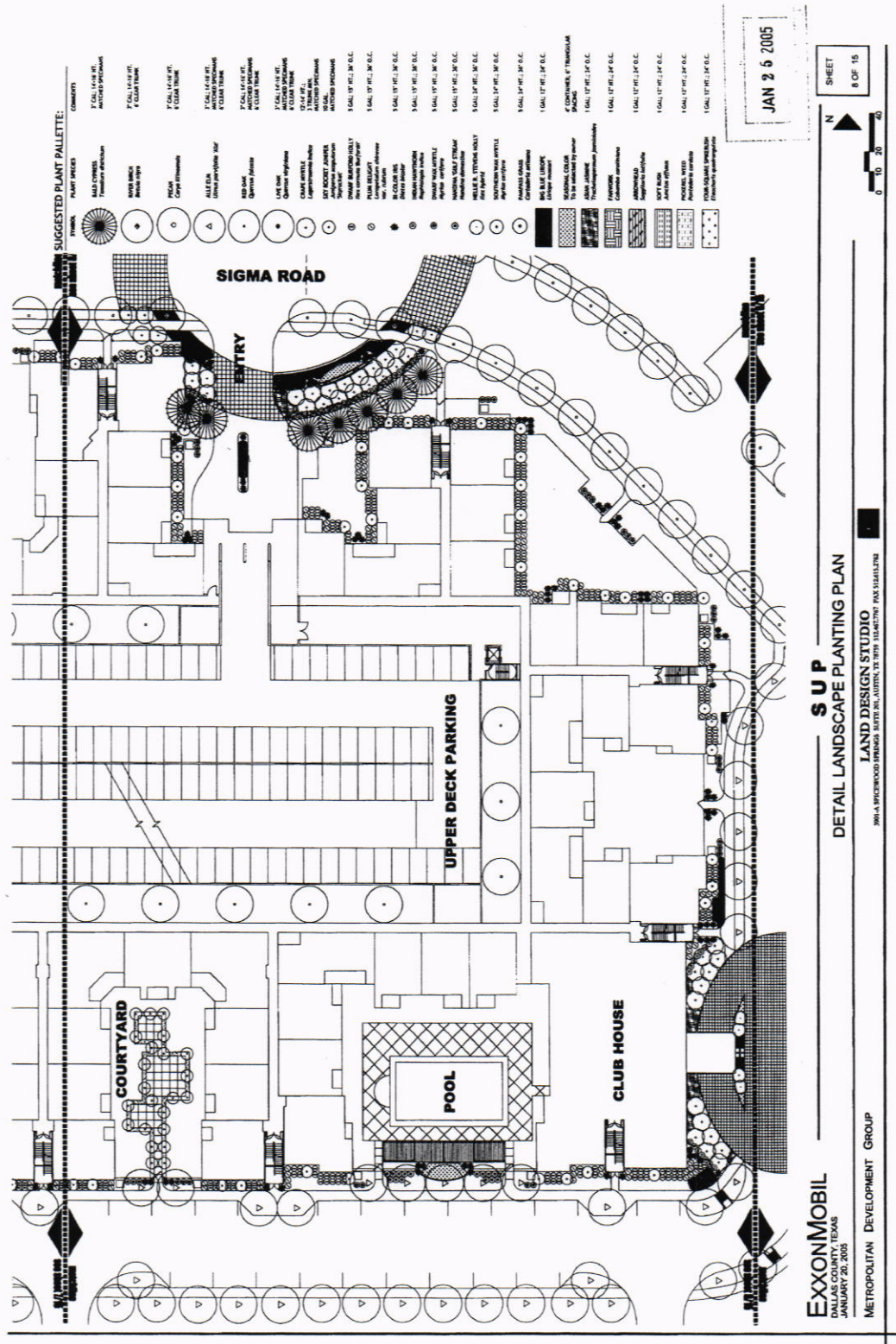




Exhibit "C" (continued)



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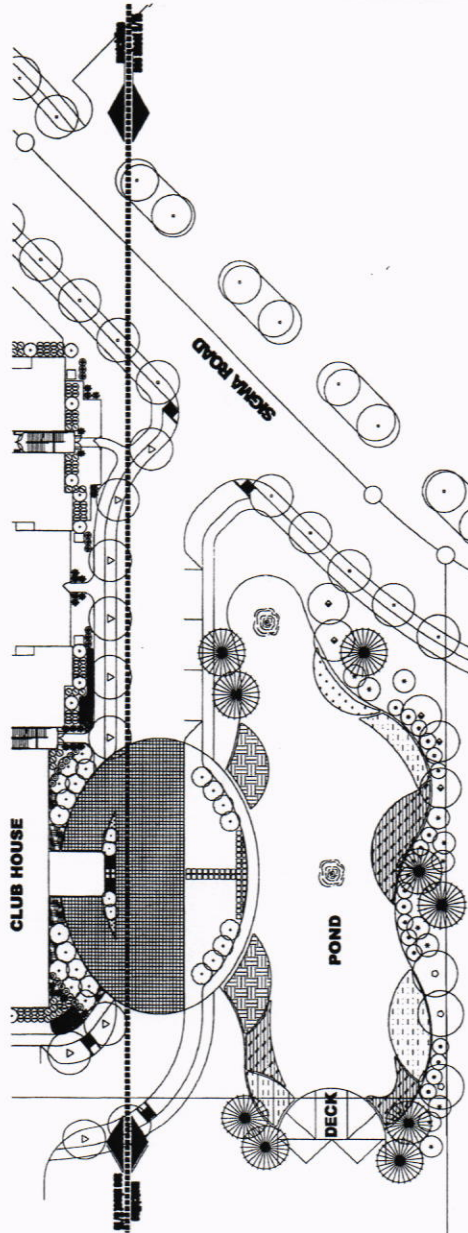
Exhibit "C" (continued)

SYMBOL	PLANT SPECIES	COMMENTS
	ALL SYMBOLS	See notes
	1" CAL. 1/4" HT.	MATCHED SPECIMENS
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JAN 25 2005

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9 OF 15

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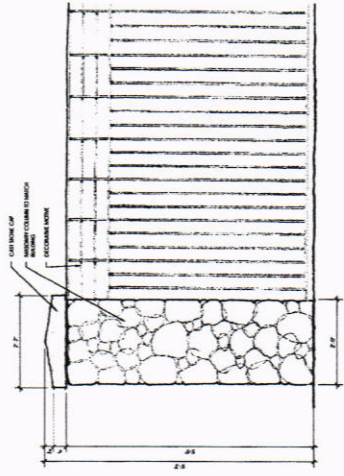


ExxonMobil
DALLAS COUNTY, TEXAS
JANUARY 20, 2005

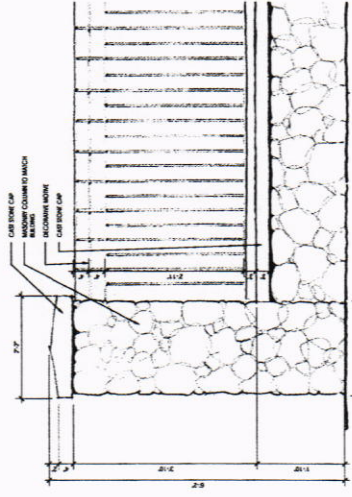
SUP
DETAIL LANDSCAPE PLANTING PLAN
LAND DESIGN STUDIO
3001-A WICKWOOD DRIVE, SUITE 200, DALLAS, TX 75243-1001 FAX 972.441.1200

METROPOLITAN DEVELOPMENT GROUP

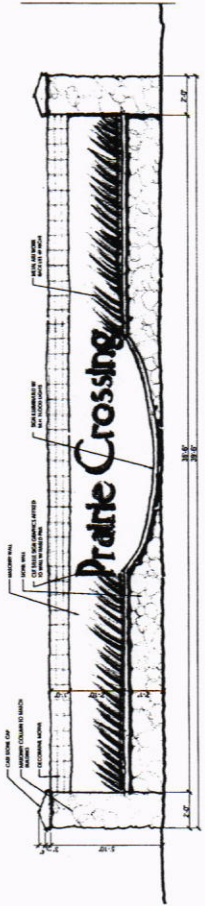
Exhibit "C" (continued)



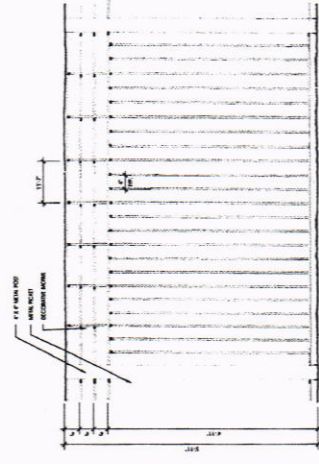
1 TYPE C' - 6'-8" HT. ORNAMENTAL METAL W/ STONE COLUMNS
1" = 1'-0"



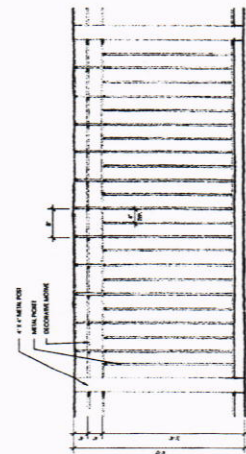
2 TYPE D' - 6'-8" HT. ORNAMENTAL METAL W/ STONE COLUMN & KNEE WALL
1" = 1'-0"



3 PROPOSED ENTRY SIGN
1/2" = 1'-0"



5 TYPE B' - 6'-8" HT. ORNAMENTAL METAL
1" = 1'-0"



4 TYPE A' - 4'-8" HT. ORNAMENTAL METAL
1" = 1'-0"

JAN 26 2005

SHEET
10 OF 15

SUP
PROJECT SIGNAGE & HARDSCAPE ELEMENTS
LAND DESIGN STUDIO
304-A SPRINGWOOD DRIVE, SUITE 100, DALLAS, TEXAS 75244-1000 FAX 972.442.1000

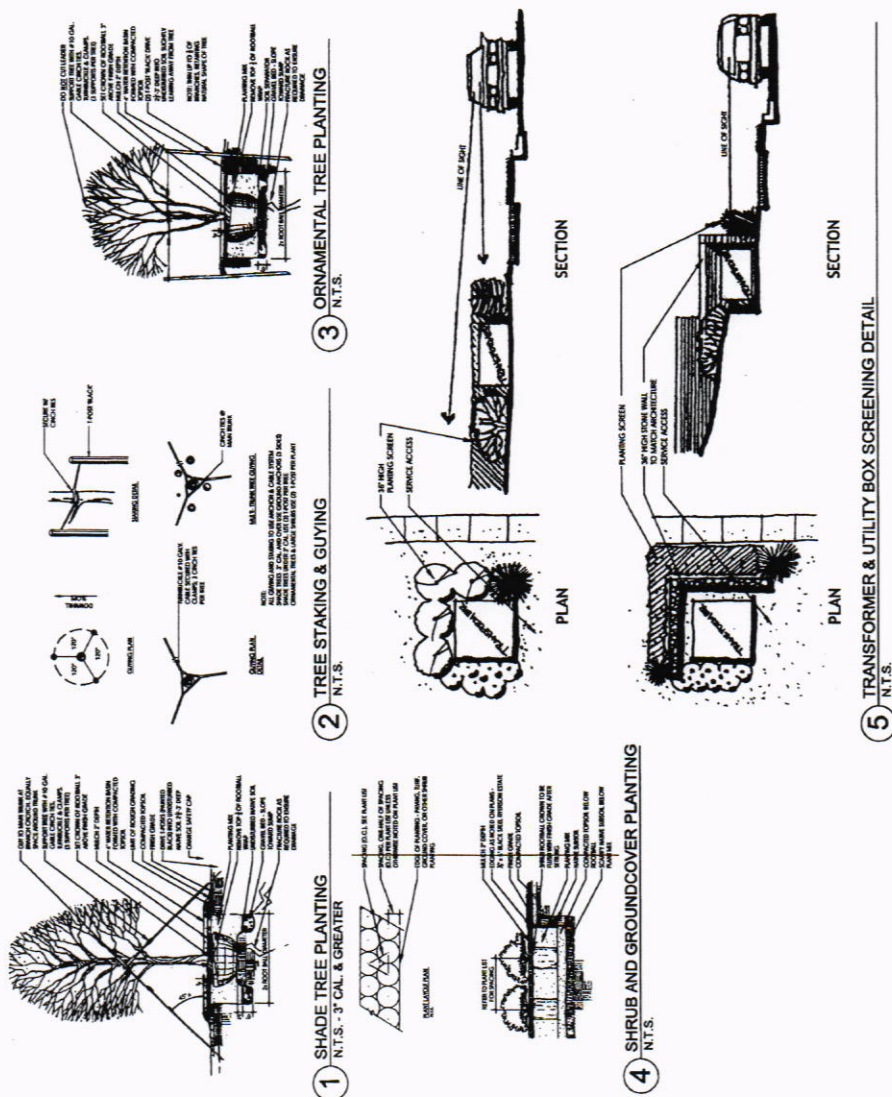
EXXONMOBIL
DALLAS, TEXAS
JANUARY 20, 2005
METROPOLITAN DEVELOPMENT GROUP

LANDSCAPE NOTES:

- [illegible]

JAN 25 2005

SHEET



EXXONMOBIL
DALLAS COUNTY, TEXAS
JANUARY 20, 2005

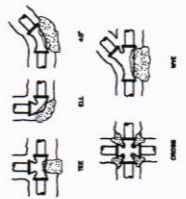
SUP
LANDSCAPE NOTES & DETAILS
LAND DESIGN STUDIO

LAND DESIGN STUDIO

METROPOLITAN DEVELOPMENT GROUP

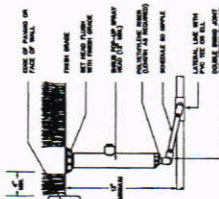
IRRIGATION NOTES:

- [illegible]

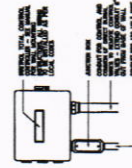


1. SUPPLY LINES 2" IN DIAMETER AND LARGER SHALL RECEIVE CONCRETE THRUOUT BLOCK.

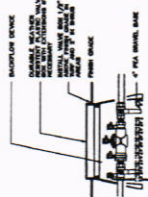
3 CONCRETE THRUST BLOCKS
N.T.S.



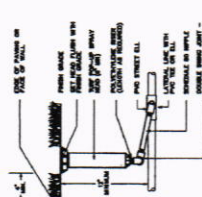
6 HI-POP SHRUB HEAD
NTS



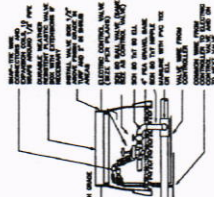
9 WALL-MOUNTED CONTROLLER



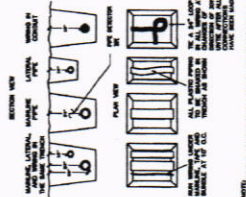
DOUBLE CHECK ASSEMBLY
(BELOW GRADE)



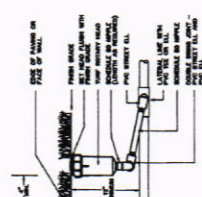
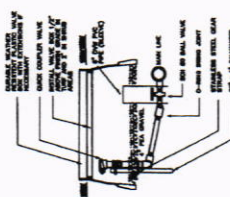
TURF HEAD POP-UP
N.T.S.



CONTROL VALVE



PIPE & WIRE TRENCHING
N.T.S.

TURF ROTARY HEAD
N.T.S.

QUICK COUPLER VALVE

EXXONMOBIL
DALLAS COUNTY, TEXAS
JANUARY 20, 2005

METROPOLITAN DEVELOPMENT GROUP

and

IRRIGATION NOTES & DETAILS

LAND DESIGN STUDIO

SHEET
12 OF 15

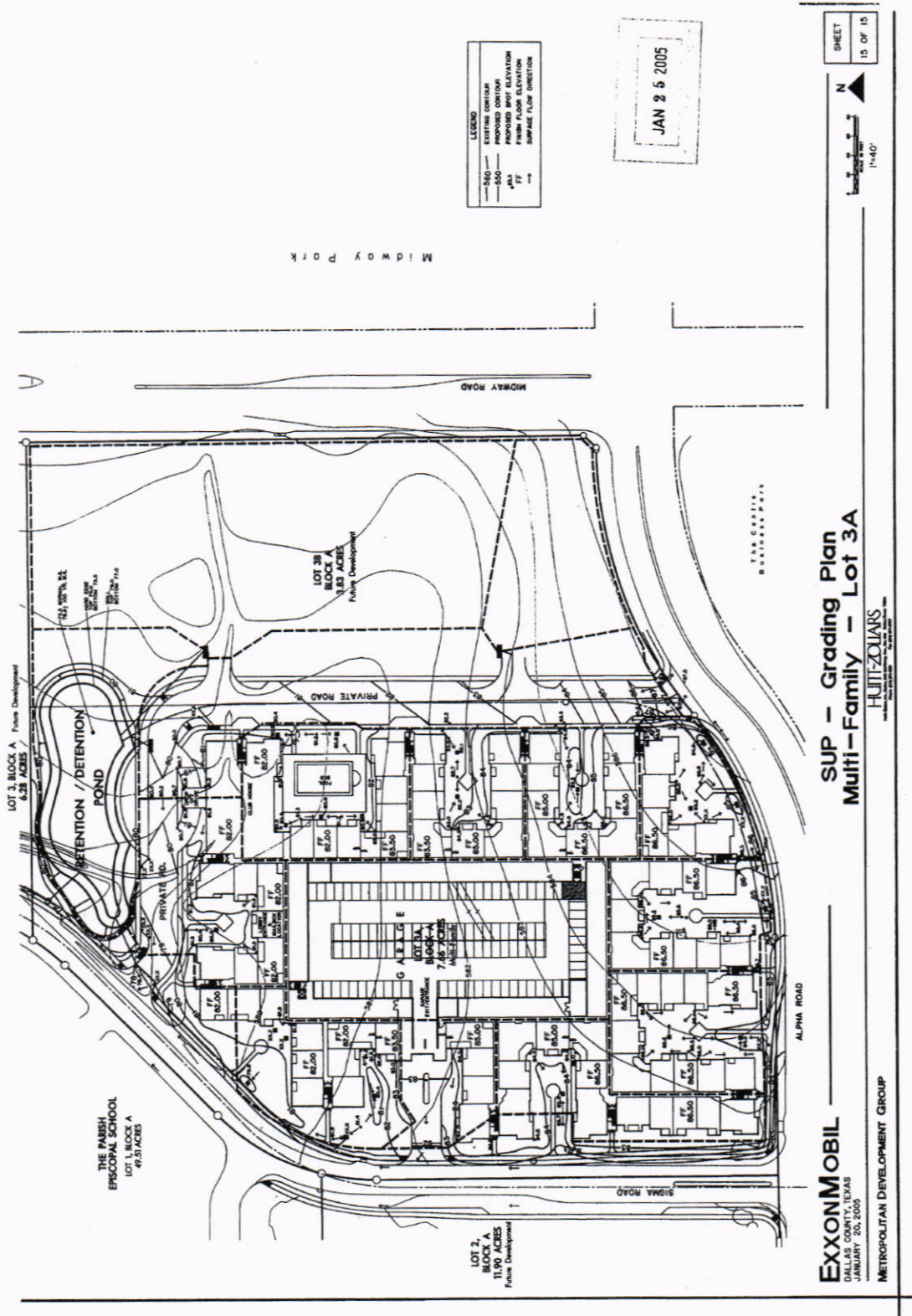
12 OF 15



Ordinance 2810; Page 19 of 20



Exhibit "C" (continued)



City of Farmers Branch P.O. Box 819010 Farmers Branch, Texas 75381-9010 972/247-3131
 Linked in Friendship with District of Bassetlaw, England, Garbsen and Schönebeck, Germany.
 Internet URL...<http://www.ci.farmers-branch.tx.us>



MEMORANDUM

COMMUNITY SERVICES DEPARTMENT

Date: April 21, 2005

To: Ms. Cindee Peters, City Secretary

From: Ms. Tina Firgens, Senior Planner *TWF*

Re: Ordinance 2810- scrivener's error

A scrivener's error occurred in Exhibit "A" (Legal Description). More specifically, the error occurred in call #5 of the description which had an error in the distance that should have been 669.71 feet instead of 449.30 feet. The project engineer has corrected the legal description and the corrected legal description has been incorporated with this ordinance. Staff consulted City Attorney John Boyle and he concurred that this error was a scrivener's error.

Please note that the corrected legal description now matches the site plan drawings attached as Exhibit "C" to the Ordinance.